

# Exhibit 6

Part \_\_\_\_ of the Supreme Court of the  
State of New York, held in and for  
the County of Suffolk at the  
Courthouse thereof, located at 1  
Court Street, Riverhead, New York  
11901 on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2011.

P R E S E N T: Hon. \_\_\_\_\_

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

WELLS FARGO BANK, N.A.  
3476 Stateview Boulevard  
Ft. Mill, SC 29715

Plaintiff,

-vs.-

GEORGIA CANDEMERES, A/K/A GEORGIA CANDEMERES-  
OTERO, ADMINSTRATOR OF THE SMALL BUSINESS  
ADMINISTRATION, CAPITAL ONE BANK, CITIFINANCIAL  
INC., SLOMINS INC., STEVE CAPPLIELLO,

JOHN DOE (Said name being fictitious, it being the intention of  
Plaintiff to designate any and all occupants of premises being  
foreclosed herein, and any parties, corporations or entities, if any,  
having or claiming an interest or lien upon the mortgaged premises.)

Defendant(s).

x

INDEX NO.: 28854/10

**ORDER DISCONTINUING  
ACTION WITHOUT  
PREJUDICE**

x

UPON the reading and filing of the Notice of Motion pursuant to CPLR 3217(b) of  
Plaintiff Wells Fargo Bank, N.A. ("Plaintiff"), dated January 6, 2012, for an Order discontinuing  
this action and cancelling the lis pendens,

AND UPON the Affirmation of Michael E. Blaine, dated January 6, 2012, setting forth  
the basis for the relief requested herein,

AND, upon Opposition to said motion, if any, it is hereby

**ORDERED**, that Plaintiff's motion to discontinue action and cancel lis pendens is granted in all respects; and it is further

**ORDERED**, that the above-captioned action, and all causes of action alleged therein, and any and all counterclaims and affirmative defenses, be and the same hereby are discontinued without prejudice and without costs to any party as against the others; and it is further

**ORDERED**, that the County Clerk of Suffolk County is directed, upon payment of proper fees, if any, to cancel and discharge a certain Notice of Pendency filed in this action on the 6th day of August, 2010 against the property known as SBL# District 0200, Section 980.40, Block 7.00, Lot 38.000, also known as 195 Maywood Drive, Mastic Beach, NY 11951, and the Clerk is hereby directed to enter upon the margin of the record of the same a Notice of Cancellation referring to this Order; and it is further

**ORDERED**, that the Clerk of the County of Suffolk be served a copy of this Order with Notice of Entry.

Dated:

\_\_\_\_\_  
, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

WELLS FARGO BANK, N.A.  
3476 Stateview Boulevard  
Ft. Mill, SC 29715

Plaintiff,

-VS.-

GEORGIA CANDEMERES, A/K/A GEORGIA CANDEMERE-  
OTERO, ADMINSTRATOR OF THE SMALL BUSINESS  
ADMINISTRATION, CAPITAL ONE BANK, CITIFINANCIAL  
INC., SLOMINS INC., STEVE CAPPLIELLO,

JOHN DOE (Said name being fictitious, it being the intention of Plaintiff to designate any and all occupants of premises being foreclosed herein, and any parties, corporations or entities, if any, having or claiming an interest or lien upon the mortgaged premises.)

Defendant(s).

INDEX NO.: 28854/10

**MORTGAGED PREMISES:**  
195 Maywood Drive  
Mastic Beach, NY 11951

SBL#:  
DISTRICT 0200  
SECTION 980.40  
BLOCK 7.00  
LOT 38.000

**NOTICE OF MOTION TO  
DISCONTINUE ACTION  
AND TO CANCEL LIS  
PENDENS**

PLEASE TAKE NOTICE that upon the annexed Affirmation of Michael E. Blaine, dated January 6, 2012, and upon all the proceedings and pleadings in this action, Plaintiff Wells Fargo Bank, N.A. will move this Court at an IAS Part        of the Supreme Court, Suffolk County, located at 1 Court Street, Riverhead, New York 11901 on January 31, 2012 at 9:30 a.m. or as soon thereafter as counsel can be heard for an order pursuant to 3217(b) of the New York Civil Practice Law and Rules ("CPLR") discontinuing the action without prejudice, including all counterclaims and affirmative defenses asserted by Defendant Georgia Candemeres, and cancelling and discharging of record the lis pendens filed in this action in the office of the Clerk of the County of Suffolk on the 6th day of August, 2010 against the property known as SBL# ~~District 0200, Section 980.40, Block 7.00, Lot 38.000~~ also known as 195 Maywood Drive, Mastic Beach, NY 11951, and granting such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to CPLR Rule 2214(b), answering affidavits and notices of cross-motions, if any, shall be served upon the undersigned at least seven days before the return date of this motion.

New York, New York  
January 6, 2012

Respectfully submitted,

By: 

Allison J. Schoenthal

Michael E. Blaine

HOGAN LOVELLS US LLP

875 Third Avenue

New York, NY 10022

(212) 918-3000

*Attorneys for Plaintiff Wells Fargo Bank,  
N.A.*

TO:

William Grausso, Esq.

Attorney at Law

131 West Main Street

Riverhead, NY 11901

(631) 591-0833

*Attorney for Defendant*

*Georgia Candemeres a/k/a Georgia Candemeres-Otero*

Administrator of the Small Business Administration

c/o U.S. Attorney

950 Pennsylvania Avenue NW

Washington, DC 20530-0001

*Non-Appearing Defendant*

Capital One Bank

532 Old Town Rd.

Port Jefferson Station, NY 11776

*Non-Appearing Defendant*

CitiFinancial Inc.  
111 Eighth Avenue  
C/o CT Corporation System  
New York, NY 10011  
*Non-Appearing Defendant*

Slomins Inc.  
125 Lauman Lane  
Hicksville, NY 11801  
*Non-Appearing Defendant*

Steve Cappiello  
3 East Gate Road  
Suffern, NY 10901  
*Non-Appearing Defendant*

Tais Bomani  
195 Maywood Drive  
Mastic Beach, NY 11951  
*Non-Appearing "John Doe" Defendant*

Magaley Hernandez  
195 Maywood Drive  
Mastic Beach, NY 11951  
*Non-Appearing "John Doe" Defendant*

Michael Hernandez  
195 Maywood Drive  
Mastic Beach, NY 11951  
*Non-Appearing "John Doe" Defendant*

STEVEN J. BAUM, P.C.  
220 Northpointe Parkway, Suite G  
Amherst, New York 14228  
(716) 204-2400  
*Co-Counsel for Plaintiff*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

WELLS FARGO BANK, N.A.  
3476 Stateview Boulevard  
Ft. Mill, SC 29715

Plaintiff,

-vs.-

GEORGIA CANDEMERES, A/K/A GEORGIA CANDEMERES-  
OTERO, ADMINSTRATOR OF THE SMALL BUSINESS  
ADMINISTRATION, CAPITAL ONE BANK, CITIFINANCIAL  
INC., SLOMINS INC., STEVE CAPPLIELLO,

JOHN DOE (Said name being fictitious, it being the intention of  
Plaintiff to designate any and all occupants of premises being  
foreclosed herein, and any parties, corporations or entities, if any,  
having or claiming an interest or lien upon the mortgaged premises.)

Defendant(s).

INDEX NO.: 28854/10

MORTGAGED PREMISES:  
195 Maywood Drive  
Mastic Beach, NY 11951

SBL#:  
DISTRICT 0200  
SECTION 980.40  
BLOCK 7.00  
LOT 38.000

**AFFIRMATION OF MICHAEL E. BLAINE IN SUPPORT OF  
DISCONTINUANCE OF ACTION AND CANCELLATION OF LIS PENDENS**

I, Michael E. Blaine, hereby affirm the following under the penalty of perjury:

1. I am a member of the bar of this Court and associated with the firm of Hogan Lovells US LLP, co-counsel for Plaintiff Wells Fargo Bank, N.A. ("Wells Fargo" or "Plaintiff"). I am fully familiar with the facts set forth herein. I affirm that I am not a party to the action. I respectfully submit this affirmation in support of Wells Fargo's Motion to discontinue the above-captioned action without prejudice and cancel and discharge of record the Lis Pendens filed in this action in the office of the Clerk of the County of Suffolk on the 6th day of August, 2010 against the property known as SBL#: District 0200, Section 980.40, Block 7.00, Lot 38.000, also known as 195 Maywood Drive, Mastic Beach, NY 11951.

2. This action was commenced to foreclose a mortgage on real property known as SBL#: District 0200, Section 980.40, Block 7.00, Lot 38.000, also known as 195 Maywood Drive, Mastic Beach, NY 11951.

3. The Lis Pendens, Summons and Complaint were filed in the Office of the Suffolk County Clerk on the 6th day of August, 2010.

4. Defendant Georgia Candemeres a/k/a Georgia Candemeres-Otero ("Defendant") filed an Answer to the Complaint dated September 10, 2010 through her counsel William Grausso, Esq.

5. The remaining defendants have not appeared, answered or made any motion with respect to the Complaint in this action and their time to do so has expired.

6. No application was made in this action for the appointment of a referee, or a receiver of rents, and none was appointed.

7. No previous application has been made for the same or similar relief as requested in this motion.

8. ~~The reason this action, including any and all counterclaims and affirmative defenses, is being discontinued, and the Lis Pendens is being cancelled, is that Plaintiff has voluntarily elected to discontinue the subject foreclosure action at this time.~~

9. Plaintiff attempted to obtain the consent of counsel for Defendant to discontinue the action. On August 12, 2011, I sent a "Stipulation to Discontinue" the action and a "Stipulation to Cancel Lis Pendens" (the "Stipulations") to William Grausso, Esq., counsel for Defendant, for his execution. A true and correct copy of the August 12, 2011 letter to Mr. Grausso with the Stipulations is annexed hereto as **Exhibit 1**.

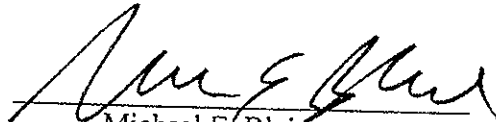


10. On or about August 26, 2011, I telephoned Mr. Grausso and left a message requesting that he execute the Stipulations. On or about October 12, 2011 I spoke with Mr. Grausso by telephone and requested that he execute the Stipulations in an effort to avoid motion practice. In response, Mr. Grausso advised that he was not willing to consent to the discontinuance.

11. Despite Plaintiff's attempts to discontinue the action on consent, Defendant has not agreed – presumably in an attempt to increase the length of time she can continue to live at the mortgaged premises without paying the mortgage obligation. Accordingly, Wells Fargo is proceeding by motion. A true and correct copy of a proposed order discontinuing the action is annexed hereto as **Exhibit 2**.

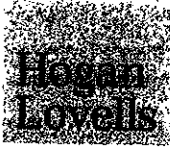
WHEREFORE, I respectfully request that the above-captioned action, and all counterclaims and affirmative defenses be discontinued, without prejudice, and that the Lis Pendens be cancelled from the records of the Suffolk County Clerk's office, together with such other and further relief as this Court deems just and proper.

January 9, 2012  
New York, New York

  
Michael E. Blaine

Mixed Sources  
FSC  
100% Recycled Paper  
100% Recycled Paper  
100% Recycled Paper

70



August 12, 2011

Michael E. Blaine  
Attorney at Law  
T +1.212.918.3603  
F +1.212.918.3100  
michael.blaine@hoganlovells.com

**BY REGULAR MAIL AND FACSIMILE**

William Grausso, Esq.  
Attorney at Law  
131 West Main Street  
Riverhead, NY 11901

Re: *Wells Fargo Bank, N.A. v. Georgia Candemeres, a/k/a Georgia Candemeres -Otero, et al.*  
Index No. 28854/10

Dear Mr. Grausso:

As you know, this firm serves as co-counsel to Wells Fargo Bank, N.A. ("Wells Fargo"), the plaintiff in the above-referenced action. At this time, Plaintiff has decided to voluntarily discontinue this action, provided that you execute the annexed stipulation for discontinuance, discontinuing all claims and counterclaims, and stipulation cancelling the *lis pendens*. Please return the executed stipulations to my attention at the address, e-mail, or fax number listed herein so we can arrange for filing of same.

Should you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael E. Blaine".

Michael E. Blaine

Encs.



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

WELLS FARGO BANK, N.A.  
3476 Stateview Boulevard  
Ft. Mill, SC 29715

Plaintiff,

-vs.-

GEORGIA CANDEMERES, A/K/A GEORGIA  
CANDEMERES-OTERO, ADMINSTRATOR OF THE  
SMALL BUSINESS ADMINISTRATION, CAPITAL ONE  
BANK, CITIFINANCIAL INC., SLOMINS INC., STEVE  
CAPPLIELLO,

JOHN DOE (Said name being fictitious, it being the intention  
of Plaintiff to designate any and all occupants of premises  
being foreclosed herein, and any parties, corporations or  
entities, if any, having or claiming an interest or lien upon the  
mortgaged premises.)

Defendant(s).

INDEX NO.: 28854/10

**STIPULATION TO  
DISCONTINUE**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned  
counsel for Plaintiff, Wells Fargo Bank, N.A. ("Wells Fargo") and counsel for Defendant  
Georgia Candemeres, a/k/a Georgia Candemeres Otero that whereas no party is an infant,  
incompetent person for whom a committee or conservatee has been appointed, and no person not  
a party has an interest in the subject matter of the above-captioned action, that the action and all  
claims by Plaintiff are hereby discontinued and all counterclaims, cross claims or defenses which  
were asserted or could have been asserted in the action by defendant Georgia Candemeres, a/k/a  
Georgia Candemeres -Otero are hereby discontinued pursuant to Rule 3217(a) of the New York  
Civil Practice Law and Rules, with each party bearing its own costs.

**IT IS FURTHER STIPULATED AND AGREED**, that this stipulation may be signed  
in counterparts and a copy of this stipulation shall be considered as effective as an original.

August 9, 2011

William Grausso, Esq., Attorney at Law

HOGAN LOVELLS US LLP

By: \_\_\_\_\_  
William Grausso, Esq.

By: \_\_\_\_\_  
Allison J. Schoenthal, Esq.  
Michael E. Blaine, Esq.

131 West Main Street  
Riverhead, NY 11901  
(631) 591-0833

875 Third Avenue  
New York, New York 10022  
(212) 918-3000

*Attorney for Defendant Georgia Candemeres,  
a/k/a Georgia Candemeres -Otero*

- and -

Steven J. Baum P.C  
220 Northpointe Parkway, Suite G  
Amherst, NY 14228

*Attorneys for Plaintiff, Wells Fargo Bank, N.A.*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

----- X  
WELLS FARGO BANK, N.A.  
3476 Stateview Boulevard  
Ft. Mill, SC 29715

Plaintiff,

-vs.-

GEORGIA CANDEMERES, A/K/A GEORGIA  
CANDEMERES-OTERO, ADMINSTRATOR OF THE  
SMALL BUSINESS ADMINISTRATION, CAPITAL ONE  
BANK, CITIFINANCIAL INC., SLOMINS INC., STEVE  
CAPPLIELLO,

JOHN DOE (Said name being fictitious, it being the intention  
of Plaintiff to designate any and all occupants of premises  
being foreclosed herein, and any parties, corporations or  
entities, if any, having or claiming an interest or lien upon the  
mortgaged premises.)

Defendant(s).  
----- X

INDEX NO.: 28854/10

**STIPULATION TO  
CANCEL NOTICE  
OF PENDENCY**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned  
counsel for Plaintiff, Wells Fargo Bank, N.A. ("Wells Fargo") and counsel for Defendant  
Georgia Candemeres, a/k/a Georgia Candemeres -Otero that whereas no party is an infant,  
incompetent person for whom a committee or conservatee has been appointed, and no person not  
a party has an interest in the subject matter of the above-captioned action, that the Notice of  
Pendency filed in this action in the office of the Clerk of the County of Suffolk on August 6,  
2010 be cancelled and discharged of record.

**IT IS FURTHER STIPULATED AND AGREED**, that this stipulation may be signed  
in counterparts and a copy of this stipulation shall be considered as effective as an original.

August 9, 2011

William Grausso, Esq., Attorney at Law

HOGAN LOVELLS US LLP

By: \_\_\_\_\_  
William Grausso, Esq.

By: \_\_\_\_\_  
Allison J. Schoenthal, Esq.  
Michael E. Blaine, Esq.

131 West Main Street  
Riverhead, NY 11901  
(631) 591-0833

875 Third Avenue  
New York, New York 10022  
(212) 918-3000

*Attorney for Defendant Georgia Candemeres,  
a/k/a Georgia Candemeres -Otero*

- and -

Steven J. Baum P.C  
220 Northpointe Parkway, Suite G  
Amherst, NY 14228

*Attorneys for Plaintiff, Wells Fargo Bank, N.A.*



Recording Requested By:  
WELLS FARGO BANK, N.A.

**When Recorded Return To:**

ASSIGNMENT TEAM  
WELLS FARGO BANK, N.A.  
1000 BLUE OCEAN RD #100  
MAC 92787-011  
MINNEAPOLIS, MN 55121-4400

CORPORATE ASSIGNMENT OF MORTGAGE

Sutton, New York  
"CANONERES"

Date of Assignment: February 14th, 2014  
Assignor: WELLS FARGO BANK, N.A. at 1 HOME CAMPUS, DES MOINES, IA 50328  
Assignee: U.S. BANK N.A. AS LEGAL TITLE TRUSTEE FOR TRUMAN 2013 SC4 TITLE TRUST at 15480 LAGUNA CANYON ROAD, SUITE 100, IRVINE, CA 92618  
Executed by: GEORGIA CANDEMERE, A MARRIED PERSON To: WELLS FARGO BANK, N.A.  
Date of Mortgage: 02/15/2008 Recorded: 04/08/2008 in Book/Rec/Liber: M30021693 Page/Folio: 236 in the County of Suffolk, State of New York *Instrument No: C2001617*

Property Address: 185 MAYWOOD DRIVE, MASTIC BEACH, NY 11951

This Assignment is not subject to the requirements of Section 275 of the Real Property Law because it is an assignment within the secondary mortgage market.

TO HAVE AND TO HOLD the said Mortgage, and the said property unto the said Assignee forever, subject to the terms contained in said Mortgage. IN WITNESS WHEREOF, the assignor has executed these presents the day and year first above written:

WELLS FARGO BANK, N.A.  
On 02/18/2014

By: George Wellock  
Vice President Loan Documentation

STATE OF Minnesota  
COUNTY OF Hennepin

On the 18th day of February in the year 2014 before me, the undersigned, personally appeared George Wellock, Vice President Loan Documentation, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual(s) made such appearance before the undersigned in the County of Hennepin, State of Minnesota.

WITNESS my hand and official seal.

Michelle Rae  
Michelle Rae Peterson

Notary Expires: 12/1/2017  
State of Minnesota County of Hennepin



(This sign for colonial seas)

PREPARED BY: WELLS FARGO BANK, N.A.